

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 22-CV-628

\$9,002.00 IN U.S. CURRENCY,

Defendant.

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VERIFIED COMPLAINT IN REM

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Plaintiff, United States of America, by its attorneys, Timothy M. O'Shea, United States Attorney for the Western District of Wisconsin, and by Heidi L. Luehring, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G (2) of the Federal Rules of Civil Procedure. The allegations in this Complaint are supported by a declaration from Drug Enforcement Detective Leslie Keith.

1. This is a civil action *in rem* brought to enforce the provision of 21 U.S.C. § 881(a)(6) for the forfeiture of all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate a violation of Title II of the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.*

2. The defendant property consists of \$9,002.00 in U.S. currency seized by the Madison Police Department on June 30, 2022, in Madison, Wisconsin.

3. Plaintiff brings this action *in rem* to forfeit and condemn the defendant property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345 and over an action for forfeiture under 28 U.S.C. § 1355(a).

4. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b). Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem*, pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

5. The defendant property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it constitutes 1) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; 2) proceeds traceable to such an exchange; and 3) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act.

6. On June 30, 2022, law enforcement was investigating a hit and run incident in the Town of Burke involving a grey Dodge Charger. A grey Dodge Charger was then located in a ditch near Burke Road and Felland Road in Madison, Wisconsin. No one was in the vehicle when law enforcement arrived at the scene. Inside the vehicle, law enforcement located an ID card for Katie M. Moore in a sandwich bag on the driver's seat. An unspent cartridge, either a .380cal or 9mm, was also located inside

the vehicle. The gray Dodge Charger VIN: 2B3CL5CT5BH609303 had been entered as stolen by the Chicago Police Department.

7. A resident in the area told officers that he heard the vehicle crash occur. The resident said that he was out to the area of the crash within seconds of it occurring and observed two black males and a black female emerge from the Dodge Charger and flee the area. The three subjects fled east towards a wooded area. In addition, the resident stated that he observed the subjects peek out of the woods within the last 5-10 minutes, and then retreat into the wooded area.

8. Law Enforcement with the assistance of a K9 officer tracked the subjects from the crashed Dodge Charger. Officers came upon an open farm field and heard noises as if people were talking. At this time, law enforcement observed a black male and black female running eastbound through the cornfield along the wood line away from him. The male subject was ultimately taken into custody.

9. The subject was later identified as Roland J Scott III (Scott) and was wearing a backpack. Scott also had a cellphone in his hand at the time he was taken into custody.

10. A Wisconsin Identification Card in the name of Roland Scott was located in the Scott's pocket along with \$487.00 US Currency.

11. Inside the backpack Scott was wearing, law enforcement located 24 individually packaged baggies of a powdery grayish substance in addition to a baggie

containing 11 smaller baggies of a similar grayish substance. The total weight of the substance to be 657.5 grams.

12. A random sample of the grayish powdery substance was tested using a Nark II Fentanyl Reagent pouch test. The substance tested positive for the presence of fentanyl.

13. Law enforcement also located two individually packaged baggies containing a yellowish substance. One of the baggies contained 53 individually packaged smaller baggies. The total weight of the yellow substance was 24.9 grams.

14. A random sample of the yellow substance was tested using a Nark II Scott Reagent (modified) pouch test and tested positive for the presence of cocaine base.

15. In the backpack was also an open box of sandwich baggies and \$8,515 in U.S. currency.

16. In 2021, an undercover officer (UC) conducted four controlled buys from Roland Scott. Scott furnished the UC with fentanyl and heroin in exchange for money.

17. The narcotics Roland Scott provided to the UC in the 2021 controlled buys were packaged similarly in baggies to the baggies located in the backpack on June 30, 2022.

18. As part of the 2021 investigation a search warrant was executed on Scott's residence. Officers located a large amount of narcotics and currency containing prerecorded buy money that had been given to the UC to conduct the controlled buys with Roland Scott.

19. Any additional facts and circumstances supporting the seizure of the defendant property are contained within the attached declaration and incorporated herein this complaint.

WHEREFORE, the United States of America prays:

- (1) that process of warrant be issued for the arrest of the defendant property;
- (2) that due notice be given to all parties to appear and show cause why the forfeiture should not be ordered;
- (3) that judgment be entered ordering the property to be forfeited to the United States of America for disposition according to law; and
- (4) that the United States of America be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted this 3<sup>rd</sup> day of November 2022.

TIMOTHY M. O'SHEA  
United States Attorney

By: /s/ Heidi L. Luehring  
HEIDI L. LUEHRING  
Assistant U. S. Attorney  
222 W. Washington Avenue  
Suite 700  
Madison, Wisconsin 53703